



# COMMUNITY FUND OHIO

**Protect the Present, Fund the Future**  
The Special Needs Trust Advisor Since 1993

## Advantages and Solutions for Attorneys

Community Fund Management Foundation dba Community Fund Ohio offers two types of Pooled Special Needs Trusts to protect assets for individuals with disabilities: the Master Trust (third-party) and the Pooled Medicaid Payback Trust (self-settled).

### **A Pooled Special Needs Trust managed by Community Fund Ohio offers many advantages to attorneys:**

- Community Fund Ohio knows that drafting a special needs trust is complicated, whether you are an estate planning or a personal injury attorney. It is even more difficult to monitor all of the rule and policy changes that could impact a special needs trust after it has been executed by your client. Community Fund Ohio provides standardized trust documents for our Pooled Special Needs Trusts and will amend the documents at no additional cost if there are policy or rule changes. Unless prohibited by law, all future amendments are grandfathered into the original documents so it is rare that a grantor would need to execute a new document.
- All Pooled Special Needs Trusts administered by Community Fund Ohio are given the same high-quality customer service, no matter the trust balance. We will not transfer a trust to a phone bank or treat the beneficiary differently because a trust has a low balance.
- The fees for setting up and administering a Pooled Special Needs Trust account are listed on our website so clients always know the cost of administration.
- Community Fund Ohio and its trustee retain a CPA firm to prepare trust tax documents at no additional charge to the account.
- Each beneficiary has his or her own account, but the accounts are “pooled” for investment purposes, allowing for greater return at a lower cost. The funds are invested by a professional investment manager who is overseen by Community Fund Ohio’s Board of Directors. Every account receives the same professional management and investment opportunities, regardless of the trust’s dollar value.

-  Pooled Special Needs Trusts are typically exempt from asset and resource calculations, which can make the application and redetermination process for government benefits smoother.
-  You and your client will have a helpful partner. Community Fund Ohio will help explain the Pooled Special Needs Trust to government agencies and, if needed, may retain its attorneys to represent the beneficiary at no charge if the trust is wrongly counted as a resource or as income to the beneficiary for government benefits eligibility.
-  Many clients have difficulty finding a trustee for a special needs trust. A trustee needs to be trustworthy, helpful, and knowledgeable about everything from taxes to investments to Medicaid. If a trustee resigns or dies, it may be difficult to find a successor trustee. Community Fund Ohio helps remove the stress of selecting a trustee by doing that work for our clients. We choose the corporate trustee and help to ensure the services are appropriate and the fees are reasonable.
-  At the same time, Community Fund Ohio recognizes that it may need to rely on the beneficiary or the beneficiary's community support to best understand the beneficiary's financial needs. All distribution requests are submitted by someone selected by the person who established the Pooled Special Needs Trust account. This "designated advocate" can be a family member, friend, agency, rep payee, or even the beneficiary if he or she is a competent adult.
-  All distribution requests are reviewed by Community Fund Ohio to prevent trust expenditures that could put eligibility for government benefits at risk.
-  Unlike guardianships where court supervision is retained, many Ohio Probate Courts will release supervision of our Pooled Special Needs Trusts.
-  The "designated advocate" receives a paper statement quarterly or can have online access to the beneficiary's account details in order to download monthly statements and current balances. If the Probate Court retains supervision, the appropriate party can utilize these documents to prepare court accountings.
-  A grantor can pay a nominal setup fee to establish an "empty" Master Trust to be funded in the future. The unfunded account is assigned a unique Employer Identification Number (EIN) and can be named as a beneficiary of assets like life insurance and retirement accounts. The account can also be named as a beneficiary of a last will and testament or another trust. After the setup fee, Community Fund Ohio will not charge annual fees until the trust is funded.
-  If your client is unsure about the need for a third-party trust, you may choose to include the authority for the grantor's fiduciary to set up a Master Trust in the future, such as in a will, power of attorney, or family trust. Community Fund Ohio does not require any paperwork or payment of the setup fee unless the Master Trust is established.
-  As a 501(c)(3) nonprofit organization, Community Fund Ohio administers its Pooled Special Needs Trusts with guidance from its Board of Directors and is registered with the Ohio Attorney General's office. In addition, Community Fund Ohio undergoes a voluntary independent audit of its finances every year. Your client can be confident that Community Fund Ohio will carefully manage funds as intended for the beneficiary.